

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

ANGELA MORA,

December , 2024  
9:00 AM

Chapter 13  
Case No: 19-23920-CGM-13

**ATTORNEY AFFIRMATION IN  
RESPONSE TO ORDER TO SHOW  
CAUSE**

Debtor,

=====X

Daniel M. Silvershein, an attorney duly admitted to practice before the Courts of the State of New York and the Southern District of New York does hereby affirm the following:

**Background:**

1. I am the Debtor's Attorney and have handled this case since its commencement under Chapter13 on October 30, 2019.
2. counsel was paid \$7500 for representation.
3. I am a solo practitioner with an office in Manhattan that specializes in bankruptcy and tax cases.
4. The case concerned the debtor who had fallen behind on its monthly mortgage obligations and was facing foreclosure.
5. During this time, Debtor's attorney filed and prosecuted a plan of reorganization which was confirmed by this Court on October 28, 2020.
6. The Plan schedules and Statement of Affairs was amended over 7 times to comply with debtor's actions and various statutory requirements.
7. Thereafter, counsel continually defended the Debtor against various motions to dismiss or lift the stay brought by Alley Bank, Cenlar and the United States Trustee's Office. (See Docket Sheet Attached as Exhibit "A")
8. During 2022, Debtor's counsel extensively litigated with the Debtor's home lender (Cenlar) to avoid the lender foreclosing on the property again. This led to a settlement of the action.
9. The Plan provided for 60 monthly payments. The last 2 payments were in question.
10. At the time of the October 9<sup>th</sup> hearing, counsel believed that everything that legally had to be done to complete the plan had been done.

**October 9th 2024 Appearance Date (Paralegal Leaves with 1 Day Notice on October 7 and Extreme October 15<sup>th</sup> Tax Deadline Pressure)**

11. On or about the morning of October 6<sup>th</sup> 2024, I received an email from my Paralegal T Jiles, that Monday October 7<sup>th</sup> 2024, would be her last day working. This decision was due to "personal reasons".
12. I asked that she at least provide 2 weeks of notice or to October 15<sup>th</sup> to allow me to get through the tax deadline before leaving. That request was refused.
13. Ms. Jiles had worked in the office prior to Covid for over 4 years.
14. There had been at the outset of 2020 other paralegal working along with Ms. Jiles.
15. Normally there are 2-3 paralegals assisting in the production of work, answering phones, scheduling etc. However, due to Covid and labor shortage the office was down to a staff of 1 paralegal.
16. Attempts during Covid to add Staff were unsuccessful due to the well-documented labor shortage, the office was working with 1 paralegal.
17. I was in the process of attempting (Running Help Wanted Ads) etc. to adding another paralegal and were hoping to hire after the October 15<sup>th</sup> Tax Deadline.

**Extreme Tax Practice Pressure with October Deadlines and October 9<sup>th</sup> Bankruptcy Hearing**

18. The undersigned has a significant tax dispute and controversy practice involving the tax disputes with the Internal Revenue Service, New York State Tax, and New Jersey Department of Taxation.
19. The week before the October 15<sup>th</sup> Tax deadline, including October 9<sup>th</sup> is perhaps the busiest, most pressured week on the calendar.
20. Most people think the week prior to the April 15<sup>th</sup> deadline is the busiest and most pressured. However, at least in April there is the possibility of extending the return deadline; unlike in October.
21. Starting Monday October 7<sup>th</sup> and continuing this office was receiving constant calls from other clients to resolve their situation. There were last-minute returns to complete as clients would wait to the last minute to produce the information necessary to complete the return.
22. Then there were the ongoing cases involving the Federal and State government with immediate deadlines to respond to their documentary and other demands to resolve the cases.
23. These clients were facing levies, seizures or other legal actions if they did not comply with document demands by the taxing authorities.
24. So, without any support staff, all alone facing the above deadline pressures and clients, and responses to the Federal and State government, I sought a solution to solve the case.
25. I was so focused on trying to get through with my responsibilities to my tax clients that I overlooked the bankruptcy case.

26. This resulted in directing the debtor to produce the proof at the hearing without counsel at her side.

### **PROOF OF PAYMENT**

27. The debtor had provided proof of payment which I believed would satisfy the issue at the bar.

28. I had instructed her to provide proof to the office. (Such proof is attached as Exhibit "B")

29. These payments were eventually processed by the Trustee's Office. ( See Trustee's Ledger Attached hereto as Exhibit "C")

30. All 60 payments have been made and the case is ready for discharge.

31. There appeared no issue of law as all issues had been previously resolved and these were the payments 59 and 60 of the 60-payment plan,

### **Mistake by Counsel**

32. Clouded by the above pressure, the undersigned mistakenly believed that it would be satisfactory for the debtor to appear at the hearing without counsel and that this could be resolved by merely providing the Court documentary proof of her payment.

33. Counsel should have appeared at the Hearing and the above is no excuse for his non-appearance.

34. Counsel does not have a previous history of non-appearances in this case or in other cases.

35. The docket report which is attached as Exhibit "A" shows numerous appearances and extensive work performed In the case which brings us to todays' hearing.

36. Since the case began all appearances have been made.

37. As with other small businesses, covid caused the labor shortage and has effected the practice of law, where previously tasks could be delegated to existing paralegals and clerks, they have been hard to replace.

38. Since the October hearing date, counsel has hired 2 law clerks/paralegals to begin the process of catching up and help run the practice.

39. Counsel has learned his lesson that even if the last 2 payments of a 60 payment plan that were "missing" and provided proof and despite his own office calendar, as well-



**intentioned as it may have been to resolve other client's issues, then an appearance should be made or other action such as contacting the Trustee's Office to possibly adjourn the meeting should have been made.**

**WHEREFORE**, we respectfully seek denial of any sanctions against Debtor's counsel for the reasons stated above and for such other and further relief that the Court deems proper.

Date: New York, New York  
November 27, 2024

\_\_\_\_\_/s/\_\_\_\_\_  
Daniel M. Silvershein, Esq.(dms-7669)  
Attorney for the Debtor  
262 W. 38<sup>th</sup> St., Suite 1007  
New York, NY 10018  
(212) 387-7880



Exhibit A

**U.S. Bankruptcy Court  
Southern District of New York (White Plains)  
Bankruptcy Petition #: 19-23920-cgm**

*Assigned to:* Judge Cecelia G. Morris  
Chapter 13  
Voluntary  
Asset

*Date filed:* 10/30/2019  
*Plan confirmed:* 10/28/2020  
*341 meeting:* 12/13/2019  
*Deadline for filing claims:* 01/08/2020

***Debtor***  
**Angela Mora**  
16 Grant Avenue  
Peekskill, NY 10566  
WESTCHESTER-NY  
SSN / ITIN: xxx-xx-2695

represented by **Daniel M. Silvershein**  
262 West 38th Street  
Suite 1007  
New York, NY 10018  
(212)387-7880  
Fax : (212) 260-8930  
Email: [daniel@dnmsilverlaw.com](mailto:daniel@dnmsilverlaw.com)

***Trustee***  
**Thomas C. Frost**  
Chapter 13 Standing Trustee  
399 Knollwood Rd  
Suite 102  
White Plains, NY 10603  
914-328-6333

***U.S. Trustee***  
**United States Trustee**  
Office of the United States Trustee - NY  
Alexander Hamilton Custom House  
One Bowling Green, Room 534  
New York, NY 10004-1408  
(212) 510-0500

Filing Date	#	Docket Text
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11/20/2019	<u>7</u> (9 pgs; 3 docs)	Objection to Confirmation of Plan <i>re: 2011 Lexus IS V6</i> (related document(s) <u>3</u> ) filed by Martin A. Mooney on behalf of TTD Auto Finance LLC. with hearing to be held on 1/6/2020 at 09:30 AM at Courtroom TBA, White Plains Courthouse (SHL) (Attachments: # <u>1</u> Exhibit A # <u>2</u> Certificate of Service)(Mooney, Martin) (Entered: 11/20/2019)
11/22/2019	<u>8</u> (2 pgs)	Notice of Appearance filed by Margaret J. Cascino on behalf of CitiMortgage, Inc.. (Cascino, Margaret) (Entered: 11/22/2019)
12/06/2019	<u>9</u> (2 pgs; 2 docs)	<b>NOTICE OF RESCHEDULED CONFIRMATION HEARING DATE FROM JANUARY 15, 2020 TO JANUARY 8, 2020</b> at 09:30 AM at Courtroom TBA(SHL), White Plains Courthouse (related document(s) <u>5</u> ). (Vargas, Ana) (Entered: 12/06/2019)
12/08/2019	<u>10</u> (3 pgs)	Certificate of Mailing. (related document(s) (Related Doc # <u>9</u> ) ). Notice Date 12/08/2019. (Admin.) (Entered: 12/09/2019)
12/09/2019	<u>11</u> (8 pgs)	Amended Model Chapter 13 Plan Filed by Debtor Angela Mora. (Silvershein, Daniel) (Entered: 12/09/2019)
12/10/2019	<u>12</u> (4 pgs)	Affidavit of Service <i>Of Amended Plan</i> (related document(s) <u>11</u> ) Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 12/10/2019)
12/23/2019	<u>13</u> (3 pgs)	Amended Schedules filed.; Schedule I - Individual <i>Amended Schedule I with Verification</i> Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 12/23/2019)
12/30/2019	<u>14</u> (3 pgs; 2 docs)	Objection to Confirmation of Plan (related document(s) <u>3</u> ) filed by Margaret J. Cascino on behalf of CitiMortgage, Inc.. with hearing to be held on 1/8/2020 at 09:30 AM at Courtroom TBA, White Plains Courthouse (SHL) (Attachments: # <u>1</u> Certificate of Service)(Cascino, Margaret) (Entered: 12/30/2019)
01/09/2020	<u>15</u> (2 pgs; 2 docs)	Order Signed On 1/9/2020 RE: Directing Future Filing Procedures For This Chapter 13 Case. File A Written Status Report With The Court Addressing The Status Of All Open Issues In This Case And Provide Chambers Copy On Or Before 3/4/2020; Hearing Is Adjourned To 3/11/2020 At 10:00 AM At Courtroom TBA, White Plains Courthouse (SHL); Appearance By The Debtor Is Required, (Related document(s) <u>14</u> , <u>7</u> , <u>5</u> ). (Mercado, Tracey) (Entered: 01/09/2020)
01/11/2020	<u>16</u> (3 pgs)	Certificate of Mailing Re: Order Regarding This Chapter 13 Case (related document(s) (Related Doc # <u>15</u> )). Notice Date 01/11/2020. (Admin.) (Entered: 01/12/2020)
02/07/2020	<u>17</u> (5 pgs)	Amended Schedules filed.; Schedule I - Individual, Schedule J - Individual <i>Second Amended Schedule I and J with Verification</i> Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 02/07/2020)



02/07/2020	<u>18</u> (11 pgs; 2 docs)	Amended Model Chapter 13 Plan <i>Second Amended Chapter 13 Plan along with Chapter 13 Plan Summary, Claims Summary and Liquidation Summary</i> Filed by Debtor Angela Mora. (Attachments: # <u>1</u> Chapter 13 Plan Summary Report; Claims Summary; Liquidation Summary) (Silvershein, Daniel) (Entered: 02/07/2020)
02/11/2020	<u>19</u> (1 pg)	Personal Financial Management Course Certificate For Debtor Angela Mora Provided By Financial Education Services, Inc., 8774607337. (Entered: 02/11/2020)
02/22/2020	<u>20</u> (3 pgs)	Schedules filed.; Schedule D - Individual <i>Amended Schedule D with Verification</i> Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 02/22/2020)
02/22/2020	<u>21</u> (6 pgs)	Schedules filed.; Schedule I - Individual, Schedule J - Individual <i>Amended Schedules I&amp;J with Verification</i> Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 02/22/2020)
02/23/2020	<u>22</u> (7 pgs)	(PLEASE SEE DOC# 28; PLAN MISSING PAGE 1) Amended Model Chapter 13 Plan <i>Third Amended Chapter 13 Plan</i> Filed by Debtor Angela Mora. (Silvershein, Daniel) Modified on 3/5/2020 (Tavarez, Arturo). (Entered: 02/23/2020)
02/27/2020	<u>23</u> (11 pgs)	Amended Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period for 5 Years (Form 122C-1). Disposable Income Is Determined. <i>First Amended Chapter 13 Statement of your Current Monthly Income and Calculation of Commitment Period</i> Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 02/27/2020)
02/28/2020	<u>24</u> (2 pgs)	Status Report <i>Of Chapter 13 Case</i> Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 02/28/2020)
03/03/2020	<u>25</u> (1 pg)	Letter <i>Withdrawing Objection to Confirmation</i> (related document(s) <u>7</u> ) Filed by Martin A. Mooney on behalf of TTD Auto Finance LLC. (Mooney, Martin) (Entered: 03/03/2020)
03/04/2020	<u>26</u> (3 pgs; 3 docs)	Transfer Agreement 3001 (e) 2 Transferor: Quantum3 Group LLC as agent for (Claim No. 10) To Quantum3 Group LLC as agent for . To Quantum3 Group LLC as agent forSadino Funding LLCPO Box 788Kirkland, WA 98083-0788. filed by Quantum3 Group LLC.(White, Jessi) (Entered: 03/04/2020)
03/04/2020		Receipt of Transfer Agreement FRBP 3001(e) (NON CLAIMS AGENT CASES)( <u>19-23920-shl</u> ) [claims,740] ( 25.00) Filing Fee. Receipt number A13813764. Fee amount 25.00. (Re: Doc # <u>26</u> ) (U.S. Treasury) (Entered: 03/04/2020)
03/04/2020	<u>27</u> (2 pgs)	Letter <i>Marking Objection to Plan Moot</i> (related document(s) <u>14</u> ) Filed by Margaret J. Cascino on behalf of CitilMortgage, Inc.. (Cascino, Margaret) (Entered: 03/04/2020)



03/05/2020	<u>28</u> (8 pgs)	Amended Model Chapter 13 Plan <i>Third Amended Chapter 13 Plan</i> Filed by Debtor Angela Mora. (Silvershein, Daniel) (Entered: 03/05/2020)
03/07/2020	<u>29</u> (2 pgs)	Certificate of Mailing Re: Notice of Transfer of Claim Other Than For Security (related document(s) (Related Doc # <u>26</u> ) . Notice Date 03/07/2020. (Admin.) (Entered: 03/08/2020)
03/17/2020	<u>30</u> (2 pgs; 2 docs)	Order Signed On 3/17/2020 RE: Directing Future Filing Procedures For This Chapter 13 Case. File A Written Status Report With The Court Addressing The Status Of All Open Issues In This Case And Provide Chambers Copy On Or Before 4/29/2020. Hearing Is Adjourned To 5/6/2020 At 10:00 AM At Courtroom TBA, White Plains Courthouse (SHL). Appearance By The Debtor Is Required If Not Current With Plan Payments, (Related document(s)) <u>15</u> , <u>14</u> , <u>7</u> , <u>5</u> (Mercado, Tracey) (Entered: 03/17/2020)
03/19/2020	<u>31</u> (3 pgs)	Certificate of Mailing Re: Order Regarding This Chapter 13 Case (related document(s) (Related Doc # <u>30</u> ) ) . Notice Date 03/19/2020. (Admin.) (Entered: 03/20/2020)
04/20/2020	<u>32</u> (8 pgs)	Amended Model Chapter 13 Plan <i>4th Amended Chapter 13 Plan</i> Filed by Debtor Angela Mora. (Silvershein, Daniel) (Entered: 04/20/2020)
04/23/2020	<u>33</u> (19 pgs; 8 docs)	Motion for Relief from Stay <i>re: 2011 Lexus IS V6</i> filed by Martin A. Mooney on behalf of TD Auto Finance LLC with hearing to be held on 8/19/2020 at 10:00 AM at Courtroom TBA, White Plains Courthouse (SHL) Responses due by 8/12/2020,. (Attachments: # <u>1</u> Notice of Motion # <u>2</u> Exhibit A # <u>3</u> Exhibit B # <u>4</u> Exhibit C # <u>5</u> Affidavit of Fact # <u>6</u> Proposed Order # <u>7</u> Certificate of Service) (Mooney, Martin) (Entered: 04/23/2020)
04/23/2020	<u>34</u> (3 pgs)	Memorandum of Law <i>in support of Motion for Relief from Stay</i> (related document(s)) <u>33</u> ) filed by Martin A. Mooney on behalf of TD Auto Finance LLC. Objections due by 8/12/2020, (Mooney, Martin) (Entered: 04/23/2020)
04/23/2020		Receipt of Motion for Relief from Stay (fee)( <u>19-23920-shl</u> ) [motion,185] ( 181.00) Filing Fee. Receipt number A13934276. Fee amount 181.00. (Re: Doc # <u>33</u> ) (U.S. Treasury) (Entered: 04/23/2020)
04/24/2020	<u>35</u> (2 pgs)	Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(g) (Form B2830) Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 04/24/2020)
04/28/2020	<u>36</u> (2 pgs)	Second Status Report Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 04/28/2020)
04/29/2020	<u>37</u> (8 pgs)	Amended Model Chapter 13 Plan <i>Fifth Amended Plan</i> Filed by Debtor Angela Mora. (Silvershein, Daniel) (Entered: 04/29/2020)
05/06/2020	<u>38</u> (5 pgs; 3 docs)	Notice of Presentment (related document(s)) <u>33</u> ) filed by Martin A. Mooney on behalf of TD Auto Finance LLC. with presentment to be held on 5/28/2020 at 10:00 AM at Courtroom TBA, White Plains Courthouse (SHL)



		Objections due by 5/21/2020, (Attachments: # <u>1</u> Proposed Order # <u>2</u> Certificate of Service)(Mooney, Martin) (Entered: 05/06/2020)
05/18/2020	<u>39</u> (2 pgs)	Affidavit <i>Of Dejanyra Vargas Re: Income Contribution</i> Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 05/18/2020)
07/24/2020	<u>40</u> (12 pgs; 3 docs)	Amended Model Chapter 13 Plan <i>6th Amended Plan</i> Filed by Debtor Angela Mora. (Attachments: # <u>1</u> Supplement Chapter 13 Summary Report # <u>2</u> Supplement Chapter 13 Liquidation Analysis) (Silvershein, Daniel) (Entered: 07/24/2020)
08/21/2020	<u>41</u> (19 pgs)	Motion for Relief from Stay filed by Wesley T Kozeny on behalf of Nissan Motor Acceptance Corporation with hearing to be held on 10/21/2020 at 10:00 AM at Courtroom 701 (SHL). (Kozeny, Wesley) (Entered: 08/21/2020)
08/21/2020		Receipt of Motion for Relief from Stay (fee)( <u>19-23920-shl</u> ) [motion,185] ( 181.00) Filing Fee. Receipt number A14245233. Fee amount 181.00. (Re: Doc # <u>41</u> ) (U.S. Treasury) (Entered: 08/21/2020)
10/03/2020	<u>42</u> (8 pgs)	Amended Model Chapter 13 Plan <i>7th Amended Plan</i> Filed by Debtor Angela Mora. (Silvershein, Daniel) (Entered: 10/03/2020)
10/28/2020	<u>43</u> (1 pg)	Order signed on 10/28/2020 Confirming Chapter 13 Plan (related document(s) <u>3</u> , <u>42</u> ). (Vargas, Ana) (Entered: 10/28/2020)
11/12/2020	<u>44</u> (1 pg)	Order signed on 11/12/2020 Granting Motion for Relief from Automatic Stay, re: 2014 NISSAN MAXIMA (Related Doc # <u>41</u> ). (Vargas, Ana) (Entered: 11/12/2020)
12/07/2020	<u>45</u> (4 pgs; 2 docs)	Amended Notice of Hearing (related document(s) <u>33</u> ) filed by Martin A. Mooney on behalf of TD Auto Finance LLC. with hearing to be held on 1/6/2021 at 02:00 PM at Teleconference Line (CourtSolutions) (SHL) (Attachments: # <u>1</u> Certificate of Service)(Mooney, Martin) (Entered: 12/07/2020)
02/03/2021	<u>46</u> (2 pgs)	Order signed on 2/3/2021 Granting Relief from Automatic Stay Pursuant to 11 U.S.C. Section 362(d)(1),(Related Doc # <u>33</u> ). (Vargas, Ana) (Entered: 02/03/2021)
12/29/2021	<u>47</u> (3 pgs; 2 docs)	Notice of Case Reassignment from Judge Sean H. Lane to Judge Cecelia G. Morris. (Gomez, Jessica). (Entered: 12/29/2021)
12/31/2021	<u>48</u> (4 pgs)	Certificate of Mailing Re: Notice of Case Reassignment (related document(s) (Related Doc # <u>47</u> )). Notice Date 12/31/2021. (Admin.) (Entered: 01/01/2022)
01/25/2022	<u>49</u> (50 pgs; 9 docs)	QCC. Motion for Relief from Stay <i>re 16 Grant Avenue Peekskill, NY 10566</i> , Motion for Relief from Co-Debtor Stay filed by Peter Adel Lawrence I on behalf of CitiMortgage, Inc.. (Attachments: # <u>1</u> Motion # <u>2</u> Notice # <u>3</u>



		Exhibit # 4 Exhibit # 5 Waiver # 6 FRCP 55 # 7 Preliminary Statements # 8 Certificate of Service) (Lawrence, Peter) Modified on 2/23/2022 (Kinchen, Gwen). (Entered: 01/25/2022)
01/25/2022	<u>50</u> (2 pgs)	Notice of Hearing <i>re Motion for Relief</i> (related document(s) <u>49</u> ) filed by Peter Adel Lawrence I on behalf of CitiMortgage, Inc.. with hearing to be held on 2/23/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM) Objections due by 2/16/2022, (Lawrence, Peter) (Entered: 01/25/2022)
01/25/2022		Receipt of Motion for Relief from Stay (fee)( <u>19-23920-cgm</u> ) [motion,185] ( 188.00) Filing Fee. Receipt number A15640242. Fee amount 188.00. (Re: Doc # <u>49</u> ) (U.S. Treasury) (Entered: 01/25/2022)
	<u>51</u> (20 pgs; 9 docs)	QCC. Motion for Relief from Stay <i>re: 2016 Nissan Rogue</i> filed by Martin A. Mooney on behalf of Ally Bank with hearing to be held on 3/23/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM) Responses due by 3/16/2022.. (Attachments: # <u>1</u> Notice of Motion # <u>2</u> Exhibit A # <u>3</u> Exhibit B # <u>4</u> Exhibits C # <u>5</u> Affidavit of Fact # <u>6</u> Rule 55 Affidavit # <u>7</u> Proposed Order # <u>8</u> Certificate of Service) (Mooney, Martin) Modified on 2/23/2022 (Kinchen, Gwen). (Entered: 02/11/2022)
02/11/2022		Receipt of Motion for Relief from Stay (fee)( <u>19-23920-cgm</u> ) [motion,185] ( 188.00) Filing Fee. Receipt number A15665684. Fee amount 188.00. (Re: Doc # <u>51</u> ) (U.S. Treasury) (Entered: 02/11/2022)
02/11/2022		Receipt of Motion for Relief from Stay (fee)( <u>19-23920-cgm</u> ) [motion,185] ( 188.00) Filing Fee. Receipt number A15665684. Fee amount 188.00. (Re: Doc # <u>51</u> ) (U.S. Treasury) (Entered: 02/11/2022)
02/11/2022	<u>52</u> (3 pgs)	Memorandum of Law <i>in support of Motion for Relief from Stay</i> (related document(s) <u>51</u> ) filed by Martin A. Mooney on behalf of Ally Bank. Objections due by 3/16/2022, (Mooney, Martin) (Entered: 02/11/2022)
02/22/2022	<u>53</u> (3 pgs)	Letter <i>Adjournment Request and Tender of Arrearages on Cenlar Lift Stay Motion</i> Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 02/22/2022)
02/23/2022	54	Notice of Adjournment of Hearing re: Motion for Relief from Stay re 16 Grant Avenue Peekskill, NY 10566, Motion for Relief from Co-Debtor Stay filed by Peter Adel Lawrence I on behalf of CitiMortgage, Inc(related document(s) <u>49</u> ); Hearing held and adjourned to 3/23/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM) (DuBois, Linda). (Entered: 02/24/2022)
03/21/2022	55	Notice of Adjournment of Hearing Re: (related document(s): <u>51</u> Doc# <u>51</u> Motion for Relief from Stay re: 2016 Nissan Rogue filed by Martin A. Mooney on behalf of Ally Bank with hearing to be held on 3/23/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM) Responses due by 3/16/2022.. (Attachments: # <u>1</u> Notice of Motion # <u>2</u> Exhibit A # <u>3</u> Exhibit B # <u>4</u> Exhibits C # <u>5</u> Affidavit of Fact # <u>6</u> Rule 55 Affidavit # <u>7</u> Proposed Order # <u>8</u> Certificate of Service) Motion for Relief from Stay (fee) filed by Ally Bank); Hearing Not Held And Adjourned To: 04/27/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM). (TraceyMercado) (Entered: 03/21/2022)



03/21/2022	<u>56</u> (1 pg)	Notice of Adjournment of Hearing (related document(s) <u>51</u> ) filed by Martin A. Mooney on behalf of Ally Bank. with hearing to be held on 4/27/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM) (Mooney, Martin) (Entered: 03/21/2022)
03/23/2022	57	Notice of Adjournment of Hearing Re: Doc#49 QCC. Motion for Relief from Stay re 16 Grant Avenue Peekskill, NY 10566, Motion for Relief from Co-Debtor Stay filed by Peter Adel Lawrence I on behalf of CitiMortgage, Inc., (Attachments: # 1 Motion # 2 Notice # 3 Exhibit # 4 Exhibit # 5 Waiver # 6 FRCP 55 # 7 Preliminary Statements # 8 Certificate of Service)Modified on 2/23/2022,(related document(s) <u>49</u> ); Hearing Held And Adjourned To: 04/27/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM). (Mercado, Tracey). (Entered: 03/24/2022)
04/12/2022	<u>58</u> (1 pg)	Letter <i>Settling Motion for Relief from Stay</i> (related document(s) <u>51</u> ) Filed by Kathy McCullough McCullough Day on behalf of Ally Bank. (McCullough Day, Kathy) (Entered: 04/12/2022)
04/12/2022		Pending Deadlines Terminated Re: Doc.#51; QCC. Motion for Relief from Stay re: 2016 Nissan Rogue filed by Martin A. Mooney on behalf of Ally Bank; Settled See Doc.#58. (Mercado, Tracey). (Entered: 04/12/2022)
04/13/2022	<u>59</u> (2 pgs)	Conditional Order Granting Relief From Stay re: 2016 Nissan Rogue (Related Doc # <u>51</u> ) signed on 4/13/2022. (DuBois, Linda) (Entered: 04/13/2022)
04/27/2022	61	Notice of Adjournment of Hearing Re: Doc.#49; Motion for Relief from Stay re 16 Grant Avenue Peekskill, NY 10566, Motion for Relief from Co-Debtor Stay filed by Peter Adel Lawrence I on behalf of CitiMortgage, Inc.. (Attachments: # 1 Motion # 2 Notice # 3 Exhibit # 4 Exhibit # 5 Waiver # 6 FRCP 55 # 7 Preliminary Statements # 8 Certificate of Service); Hearing Not Held And Adjourned To: 05/25/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM). (Mercado, Tracey). Modified on 4/29/2022 (Fredericks, Frances). (Entered: 04/29/2022)
04/29/2022	<u>60</u> (2 pgs)	Notice of Adjournment of Hearing (related document(s) <u>49</u> ) filed by Peter Adel Lawrence I on behalf of CitiMortgage, Inc.. with hearing to be held on 5/25/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM) (Lawrence, Peter) (Entered: 04/29/2022)
05/25/2022		Pending Deadlines Terminated; RE: Document No.49; Motion for Relief from Stay re 16 Grant Avenue Peekskill, NY 10566, Motion for Relief from Co-Debtor Stay filed by Peter Adel Lawrence I on behalf of CitiMortgage, Inc. <b>Hearing held, Motion Granted; Submit Order.</b> (Tavarez, Arturo). (Entered: 05/27/2022)
05/31/2022	<u>62</u> (2 pgs)	Order Granting Motion for Relief from Stay re 16 Grant Avenue Peekskill, NY 10566 signed on 5/31/2022. (DuBois, Linda) (Entered: 05/31/2022)
11/01/2022	<u>63</u> (4 pgs)	Motion to Dismiss Case <i>application and certificate of service</i> filed by Krista M. Preuss on behalf of Krista M. Preuss with hearing to be held on 12/7/2022 at 09:00 AM at Videoconference (ZoomGov) (CGM). (Preuss, Krista) (Entered: 11/01/2022)



11/29/2022	<u>64</u> (7 pgs)	Affirmation in <i>Opposition to Dismiss Case</i> (related document(s) <u>63</u> ) filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 11/29/2022)
12/02/2022	<u>65</u> (1 pg)	Affidavit of Service of <i>Affirmation in Opposition to Trustee's Motion to Dismiss Case</i> (related document(s) <u>63</u> ) Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 12/02/2022)
12/07/2022		Pending Deadlines Terminated re: Motion to Dismiss Case filed by Krista M. Preuss on behalf of Krista M. Preuss; hearing held and concluded. WITHDRAWN. (DuBois, Linda). (Entered: 12/08/2022)
01/20/2023	<u>66</u> (21 pgs; 6 docs)	Motion to Stay <i>Motion to Reinstate Automatic Stay with Regard to Cenlar Mortgage</i> (related document(s) <u>49</u> ) filed by Daniel M. Silvershein on behalf of Angela Mora with hearing to be held on 2/22/2023 at 09:00 AM at Courtroom 118, White Plains Courthouse. (Attachments: # <u>1</u> Application to Reinstate Stay # <u>2</u> Exhibit Exhibit A # <u>3</u> Exhibit Exhibit B # <u>4</u> Exhibit Exhibit C # <u>5</u> Exhibit Exhibit D) (Silvershein, Daniel) (Entered: 01/20/2023)
01/30/2023	<u>67</u> (2 pgs)	Affidavit of Service <i>Motion to Reinstate Automatic Stay</i> (related document(s) <u>66</u> ) Filed by Daniel M. Silvershein on behalf of Angela Mora. (Silvershein, Daniel) (Entered: 01/30/2023)
02/22/2023	68	Notice of Adjournment of Hearing Re: Doc# 66; Motion to Stay Motion to Reinstate Automatic Stay with Regard to Cenlar Mortgage (related document(s) <u>49</u> ) filed by Daniel M. Silvershein on behalf of Angela Mora; Hearing Held And Adjourned To: 03/22/2023 At 9:00 AM at Videoconference (ZoomGov) (CGM). (Mercado, Tracey). (Entered: 02/23/2023)
03/14/2023	<u>69</u> (2 pgs)	Consent Order (Related Doc # <u>66</u> ) signed on 3/14/2023. (Fredericks, Frances) (Entered: 03/14/2023)
03/14/2023		Pending Deadlines Terminated Re: Doc# 66; Motion to Stay Motion to Reinstate Automatic Stay with Regard to Cenlar Mortgage (related document(s) <u>49</u> ) filed by Daniel M. Silvershein on behalf of Angela Mora; Hearing Not Held - Consent Order Entered On 03/14/2023 - See Doc.#69. (Mercado, Tracey). (Entered: 03/14/2023)
06/01/2023	70	Notice of Reassignment of Chapter 13 Standing Trustee. The United States Trustee has appointed Thomas C. Frost as the Chapter 13 Standing Trustee, Effective June 1, 2023. (Gomez, Jessica). (Entered: 06/01/2023)
07/11/2023	<u>71</u> (1 pg)	Chapter 13 Standing Trustees FRBP 2012 Accounting of Prior Administration of Case and Request for Discharge of Former Trustee (Frost, Thomas) (Entered: 07/11/2023)
07/26/2023	72	<b>ORDER</b> Discharging Prior Standing Chapter 13 Trustee, Krista Preuss, from any further duties as Chapter 13 Trustee. So Ordered /s/ Cecelia G. Morris The Notice of Electronic Filing is the Official ORDER for this entry. No document is attached. (adi) (Entered: 07/26/2023)



07/15/2024	<u>73</u> (2 pgs)	Notice of Change of Address of Creditor filed by Ally Bank. (Tavarez, Arturo) (Entered: 07/26/2024)
09/16/2024	<u>74</u> (5 pgs)	Motion to Dismiss Case with <i>application and certificate of service</i> filed by Thomas C. Frost on behalf of Thomas C. Frost with hearing to be held on 10/9/2024 at 09:00 AM at Videoconference (ZoomGov) (CGM). (Frost, Thomas) (Entered: 09/16/2024)
10/09/2024	75	Notice of Adjournment of Hearing Re: Doc# 74; Motion to Dismiss Case with application and certificate of service filed by Thomas C. Frost on behalf of Thomas C. Frost, (related document(s) <u>74</u> ); Hearing Held And Adjourned For An ORDER TO SHOW CASE IN PERSON HEARING ON: 12/04/2024 at 09:00 AM LOCATED AT THE WHITE PLAINS COURTHOUSE IN COURTROOM 621. (Mercado, Tracey). (Entered: 10/10/2024)
11/18/2024	<u>76</u> (2 pgs)	Order to Show Cause signed on 11/18/2024 Directing <b>Daniel M. Silverstein, Esq.</b> , to Appear and <b>SHOW CAUSE</b> Hearing to be held on 12/4/2024 at 09:00 AM at 300 Quattropas Street, Courtroom 621, White Plains, New York 10601 <b>HEARING TO BE HELD IN PERSON</b> (DuBois, Linda) (Entered: 11/18/2024)

PACER Service Center				
Transaction Receipt				
11/26/2024 14:13:20				
PACER Login:	Danno6969	Client Code:		
Description:	Docket Report	Search Criteria:	19-23920-cgm Fil or Ent: filed From: 11/12/2019 To: 11/26/2024 Doc From: 0 Doc To: 999999999 Format: html Page counts for documents: included	
Billable Pages:	7	Cost:	0.70	

Exhibit B





HOEGAN LAKE  
3147 E MAIN ST  
MOHEGAN LAKE, NY 10547-9996  
(800) 275-8777

09:28 AM

11/04/2024  
Product Qty Unit Price

Money Order  
Serial #: 29534649006 \$1000.00

Money Order Fee \$3.40

Total \$1003.40

Money Order  
Serial #: 29534649017 \$265.00

Money Order Fee \$2.35

Total \$267.35

Grand Total: \$1270.75

Debit Card Remit  
Card Name: VISA \$1270.75

Account #: XXXXXXXXXX6714

Approval #: 082806

Transaction #: 378

Receipt #: 061050

Debit Card Purchase: \$1,270.75

AID: A000000980840 Contactless

AL: US DEBIT

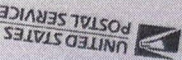
Preview your Mail  
Track your Packages  
Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.

Tell us about your experience.  
Go to: <https://postalexperience.com/Pos>  
or scan this code with your mobile device.



11/4/2024 9:28 AM



29534649017  
Serial Number  
NOT  
NEGOTIABLE  
FOR IMPORTANT CLAIM  
INFORMATION  
Pay to  
Address  
KEEP THIS  
RECEIPT FOR  
YOUR RECORDS  
Clerk 3  
Amount \$265.00  
105470  
Post Office  
Year, Month, Day  
2024-11-04

CUSTOMER'S RECEIPT

29534649006  
Serial Number  
NOT  
NEGOTIABLE  
FOR IMPORTANT CLAIM  
INFORMATION  
Pay to  
Address  
KEEP THIS  
RECEIPT FOR  
YOUR RECORDS  
Clerk 3  
Amount \$1,000.00  
105470  
Post Office  
Year, Month, Day  
2024-11-04

CUSTOMER'S RECEIPT



Exhibit C



Sent from Yahoo Mail for iPhone

On Tuesday, October 1, 2024, 11:15 AM, Angela Mora <angelam0828@yahoo.com> wrote:

Good Morning Ms. Gaines,  
Attached please find proof of the payments I have sent to Mr. Thomas Frost yesterday via 2-day priority mail and should arrive at your offices by tomorrow 10/02/24.  
As I cross checked the list of payments you provided me with my money order copies, I was unable to find the proof of money orders that may have gotten lost in the mail. I will continue to search but I do understand that the arrears must be paid immediately and therefore I have sent in the full amount noted on the court motion (\$3,631.52).

Thank you in advance for your assistance,  
Angela Mora  
Case #19-23920

On Thursday, September 19, 2024 at 11:11:20 AM EDT, Angela Mora <angelam0828@yahoo.com> wrote:

Good Morning Ms. Gaines,  
Thank you so much for sending the ledger. I will be cross checking with all of my payments to determine the payments that did not make it to your office.

Regards,  
Angela Mora

On Thursday, September 19, 2024 at 10:29:49 AM EDT, Rosella Gaines <rgaines@frostdny13.com> wrote:

Good morning Ms. Mora,

Please see attached payment ledger as of today for your reference as you cross check money orders sent to our office. I have cc'd your attorney for future correspondence.

Should you have any questions or concerns feel free to contact me by any of the preferred methods listed below

Respectfully,

**Rosella Gaines**

Chapter 13 Paralegal

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**THOMAS C. FROST, CHAPTER 13 TRUSTEE**

399 Knollwood Rd, Suite 102 | White Plains, NY 10603

**PAYMENT ADDRESS: Thomas C. Frost, Trustee P.O. Box 613707, Memphis, TN 38101-3707**

Tel: (914) 328-6333 EXT. 219 | Fax: (914) 328-7299

[Rgaines@frostdny13.com](mailto:Rgaines@frostdny13.com)

**PAYMENT ADDRESS: Thomas C. Frost, Trustee P.O. Box 613707, Memphis, TN 38101-3707 or Electronically via**  
[www.tfsbillpay.com](http://www.tfsbillpay.com)

Please be advised that this e-mail may contain information that is confidential and/or privileged or otherwise protected from disclosure. If you are not the intended recipient of this e-mail, please delete it and any attachments and notify the sender by reply email that you have received it in error. Unintended recipients may not use, copy, print, redistribute or take any action on the basis of the information contained in this e-mail.



Date Paid	Claim	Check Num	Name of Pa	Description	Amount
11/12/2024		N/A		Money Order	\$1,000.00
11/12/2024		N/A		Money Order	\$265.00
10/16/2024		N/A		Money Order	\$265.00
10/16/2024		N/A		Money Order	\$1,000.00
10/7/2024		N/A		Money Order	\$631.52
10/7/2024		N/A		Money Order	\$1,000.00
10/7/2024		N/A		Money Order	\$1,000.00
10/7/2024		N/A		Money Order	\$1,000.00
9/9/2024		N/A		Money Order	\$1,000.00
9/9/2024		N/A		Money Order	\$270.00
8/5/2024		N/A		Money Order	\$941.00
6/27/2024		N/A		Money Order	\$820.00
5/17/2024		N/A		Money Order	\$820.00
4/15/2024		N/A		Money Order	\$820.00
2/22/2024		N/A		Money Order	\$820.00
12/22/2023		N/A		Money Order	\$820.00
11/20/2023		N/A		Money Order	\$820.00
10/12/2023		N/A		Money Order	\$820.00
9/22/2023		N/A		Money Order	\$820.00
8/14/2023		N/A		Money Order	\$815.91
7/12/2023		N/A		Money Order	\$732.00
6/9/2023		N/A		Money Order	\$732.00
5/11/2023		N/A		Money Order	\$732.00
4/3/2023		N/A		Money Order	\$732.00
3/14/2023		N/A		Money Order	\$732.00
2/13/2023		N/A		Money Order	\$732.00
1/10/2023		N/A		Money Order	\$730.00
12/21/2022		N/A		Money Order	\$730.00
12/5/2022		N/A		Cashier Check	\$2,507.00
10/3/2022		N/A		Money Order	\$605.00
9/2/2022		N/A		Money Order	\$605.00
8/4/2022		N/A		Money Order	\$605.00
7/5/2022		N/A		Money Order	\$605.00
5/26/2022		N/A		Money Order	\$605.00
5/4/2022		N/A		Money Order	\$605.00
3/7/2022		N/A		Money Order	\$605.00
2/7/2022		N/A		Money Order	\$605.00
12/9/2021		N/A		Money Order	\$605.00
11/8/2021		N/A		Money Order	\$607.00
10/8/2021		N/A		Money Order	\$607.00
9/7/2021		N/A		Money Order	\$607.00
8/6/2021		N/A		Money Order	\$605.00
6/29/2021		N/A		Money Order	\$605.00

6/1/2021	N/A	Money Order	\$605.00
5/3/2021	N/A	Money Order	\$605.00
4/2/2021	N/A	Money Order	\$605.00
3/3/2021	N/A	Money Order	\$605.00
2/8/2021	N/A	Money Order	\$605.00
1/11/2021	N/A	Money Order	\$605.00
11/30/2020	N/A	Money Order	\$605.00
11/5/2020	N/A	Money Order	\$608.00
10/9/2020	N/A	Money Order	\$608.00
9/8/2020	N/A	Money Order	\$608.00
8/5/2020	N/A	Money Order	\$640.00
8/5/2020	N/A	Money Order	\$1,000.00
6/29/2020	N/A	Money Order	\$478.00
6/1/2020	N/A	Money Order	\$478.00
5/4/2020	N/A	Money Order	\$478.00
4/6/2020	N/A	Money Order	\$478.00
3/4/2020	N/A	Money Order	\$478.00
2/3/2020	N/A	Money Order	\$478.00
12/30/2019	N/A	Money Order	\$478.00
12/2/2019	N/A	Money Order	\$460.81